

Notice of Allowability

Application No.

09/658,795

Examiner

Thuy N. Pardo

Applicant(s)

LEMAIRE ET AL.

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on June 19, 2007.
2. ☒ The allowed claim(s) is/are 10-16, 18-42, now renumbered 1-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |



THUY PARDO
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. Applicant's Amendment/Arguments after Notice of Appeal filed on June 19, 2007 has been reviewed. Claims 10-16, 18-42 are pending in the application. Claims 1-9 and 17 have been canceled.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Charles Lemaire, Registration No. 36,198 on July 05, 2007.

4. The application has been amended as follows:

Claim 10,

Line 3, after "a plurality of", --electronic messages having encoded—has been added,

Lines 3, after "a first", --electronic message having a first encoded—has been added,

Lines 4, after "a second", --electronic message having a second encoded—has been added,

After lines 5, --decoding the transactions from the plurality of electronic messages;-- has been added in a new line.

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Claim 14,

Line 3, after “a plurality of”, --electronic messages having encoded—has been added,

Lines 3, after “a first”, --electronic message having a first encoded—has been added,

Lines 4, after “a second”, --electronic message having a second encoded—has been added,

After lines 5, --decoding the transactions from the plurality of electronic messages;-- has been added in a new line.

Claim 16,

Line 2, “a patent” has been replaced by --an--

Line 2, “after “service matter”, -- that includes a plurality of transactions each related to the application service matter—has been added.

Claim 18,

Line 2, after “database transactions”, --the database transactions being encoded into electronic messages;-- has been added,

Line 5, “patent application” has been replaced by --particular application matter --

After lines 5, --a decoder operatively coupled to decode the database transactions from the plurality of electronic messages;-- has been added in a new line,

Line 8, “patent application” has been replaced by --particular application matter --

Claim 22,

Line 3, after “database transactions”, --an encoder that encodes the database transactions into electronic messages—has been added,

Line 6, “a patent application” has been replaced by –an application service matter – has been added,

Lines 8-9, “the patent application” has been replaced by –an application service matter – has been added.

Claim 35,

Line 2, after “a plurality”, --electronic messages having encoded—has been added,

Lines 2, after “a first”, --electronic message having a first encoded—has been added,

Line 3, after “a service provider”, “associated with an intellectual property law lawyer— has been deleted,

Line 3, after “a second”, --electronic message having a second encoded—has been added,

Lines 5-6, “the patent application” has been replaced by –an application service matter – has been added,

After lines 6, --decoding the transactions to obtain a plurality of transactions from the plurality of electronic messages;-- has been added in a new line,

Line 9, “the patent application” has been replaced by –the application service matter – has been added.

Claim 36,

Line 2, “patent” has been deleted.

Claim 37,

Line 2, "the patent application." has been replaced by –the application service matter. –
has been added.

Claim 42,

Line 3, "the patent application." has been replaced by –the application service matter. –
has been added.

Allowable Subject Matter

4. Claims 10-16, 18-42 are allowed over the prior art of record.

Applicant's arguments, see pages 8-16, filed on February 21, 2007 and pages 2-3 filed on June 19, 2007, with respect to claims 10-16, 18-42 have been fully considered and are persuasive, Examiner respectfully submits that claims 10-16, 18-42 are allowable over the prior art of record.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy N. Pardo whose telephone number is 571-272-4082. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 07, 2007

A handwritten signature in black ink, appearing to read 'Thuy Pardo', with a long horizontal flourish extending to the right.

**THUY PARDO
PRIMARY EXAMINER**